

REMARKS

Amendments to the Claims

Claims 67-131 were pending in the current application. To expedite prosecution and allowance of allowable subject matter, claims 97-118 have been canceled without prejudice. Accordingly, upon entry of the instant amendments, claims 67-96 and 119-131 are now pending.

No new matter has been added.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request entry of the present Amendment and prompt allowance of all pending claims.

Applicants have filed concurrently herewith a Petition for a one-month extension of time for replying to the Office Action and have paid the required fee under 37 C.F.R. §§ 1.136(a) and 1.17(a)(1). The Commissioner is authorized to deduct any deficient amount or credit any surplus amount to Deposit Account No. 50-1986. With the extension, the time for replying is extended up to and including April 30, 2004. Accordingly, this Amendment is timely filed.

Respectfully submitted,

Dated: April 30, 2004

Customer No.: 34103
Cubist Pharmaceuticals, Inc.
65 Hayden Avenue
Lexington, Massachusetts 02421
Tel.: (781) 860-8660
Fax: (781) 861-1407



Timothy J. Douros
Registration No. 41,716
Attorney for Assignee
Jill M. Mandelblatt
Registration No. 37,878
Patent Agent for Assignee